

1130 U.S. PTO

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PTO/SB/05 (03-01)

Please type a plus sign (+) inside this box ☒

Approved for use through 10/31/2002 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	PT004P1C1
	First Inventor	Ni et al.
	Title	Bone Morphogenic Protein (BMP) Polynucleotides, Polypeptides, and Antibodies
	Express Mail Label No.	

10/06/02
02/07/02
Jc714 U.S. PTO

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Box Patent Application Commissioner for Patents Washington, DC 20231
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages 248] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies), or ii. <input checked="" type="checkbox"/> paper c. <input checked="" type="checkbox"/> Statements verifying identity of above copies
4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets]	ACCOMPANYING APPLICATIONS PARTS
5. Oath or Declaration [Total Pages 2] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement [] Power of (when there is an assignee) Attorney 11. <input type="checkbox"/> English Translation Document (if applicable) 12. <input type="checkbox"/> Information Disclosure [] Copies of IDS Statement (IDS)/PTO-1449 Citations 13. <input type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input checked="" type="checkbox"/> Other: Request to Open New Disk File Under 37 C.F.R. § 1.821(e)
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/685,899

Prior application information: Examiner J. Andres Group / Art Unit: 1646

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	22195	or <input type="checkbox"/> Correspondence address below
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Mark J. Hyman	Registration No. (Attorney/Agent)	46,789
Signature		Date	February 7, 2002

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Application claims small entity status See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 776.00

Complete if Known

Application Number Not Yet Assigned
Filing Date Herewith
First Named Inventor Ni et al.
Examiner Name Not Yet Assigned
Group Art Unit Not Yet Assigned
Attorney Docket No. PT004P1C1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

08-3425

Deposit Account Name

Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	106	206	Utility filing fee	740.00
106	206	330	165	107	207	Design filing fee	
107	207	510	255	108	208	Plant filing fee	
108	208	740	370	114	214	Reissue filing fee	
114	214	160	80			Provisional filing fee	
SUBTOTAL (1)							(\$ 740.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
22	-20** = 2	18.00	36.00
Independent Claims	2	-3** =	0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	203	18	9	102	202	Claims in excess of 20
102	202	84	42	104	204	Independent claims in excess of 3
104	204	280	140	109	209	Multiple dependent claim, if not paid
109	209	84	42	110	210	** Reissue independent claims over original patent
110	210	18	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 36.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	127	227	Surcharge - late filing fee or oath	
127	227	50	25	139	239	Surcharge - late provisional filing fee or cover sheet	
139	239	130	130	147	247	Non-English specification	
147	247	2,520	2,520	112	212	For filing a request for <i>ex parte</i> reexamination	
112	212	920*	920*	113	213	Requesting publication of SIR prior to Examiner action	
113	213	1,840*	1,840*	115	215	Requesting publication of SIR after Examiner action	
115	215	110	55	116	216	Extension for reply within first month	
116	216	400	200	117	217	Extension for reply within second month	
117	217	920	460	118	218	Extension for reply within third month	
118	218	1,440	720	128	228	Extension for reply within fourth month	
128	228	1,960	980	119	219	Extension for reply within fifth month	
119	219	320	160	120	220	Notice of Appeal	
120	220	320	160	121	221	Filing a brief in support of an appeal	
121	221	280	140	138	238	Request for oral hearing	
138	238	1,510	1,510	140	240	Petition to institute a public use proceeding	
140	240	110	55	141	241	Petition to revive - unavoidable	
141	241	1,280	640	142	242	Petition to revive - unintentional	
142	242	1,280	640	143	243	Utility issue fee (or reissue)	
143	243	460	230	144	244	Design issue fee	
144	244	620	310	122	222	Plant issue fee	
122	222	130	130	123	223	Petitions to the Commissioner	
123	223	50	50	126	226	Processing fee under 37 CFR 1.17(q)	
126	226	180	180	581	281	Submission of Information Disclosure Stmt	
581	281	40	40	146	246	Recording each patent assignment per property (times number of properties)	
146	246	740	370	149	249	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740	370	179	279	For each additional invention to be examined (37 CFR 1.129(h))	
179	279	740	370	169	269	Request for Continued Examination (RCE)	
169	269	900	900			Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00

SUBMITTED BY

Name (Print/Type) Mark J. Hyman

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46,789

Complete (if applicable)

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Signature

Mark J. Hyman

Date

February 7, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Ni et al.

Attorney Docket No.: PT004P1C1

Application Number: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: Herewith

Examiner: Unassigned

Title: Bone Morphogenic Protein (BMP) Polynucleotides,
Polypeptides, and Antibodies

**REQUEST TO OPEN NEW DISK FILE
UNDER 37 C.F.R. § 1.821(e)**

Commissioner for Patents
Washington, D.C. 20231

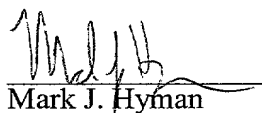
Sir :

The above-identified patent application is a continuation of Application Serial No. 09/685,899, filed October 11, 2000. The sequence listing of the instant application is identical to the sequence content of the computer readable sequence listing previously filed in connection with Application Serial No. 09/685,899.

In accordance with 37 C.F.R. § 1.821(e), please use the computer readable form filed in connection with Application Serial No. 09/685,899 as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing is included in the specification of the instant application filed herewith. Applicants hereby certify that the paper copy of the Sequence Listing filed herewith and the computer readable sequence listing previously filed in connection with Application Serial No. 09/685,899 are the same and do not include new matter.

Respectfully submitted,

Date: February 7, 2002



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